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OFFICE OF PETITIONS

In re Application of

Tranter, et al.

Application No. 10/580,985

Filed: October 5, 2006

Attorney Docket No. 42-000600US

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.181(a) to withdraw the holding of abandonment, filed September 14, 2009.

The petition under 37 CFR 1.181(a) to withdraw the holding of abandonment is **granted**.

This application was held abandoned on January 25, 2009, after it was believed that no response was received to the restriction/election requirement mailed December 24, 2008. The notice allowed a shortened period for reply of one (1) month from its mailing date. Extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). A Notice of Abandonment was mailed on September 2, 2009, indicating that a reply to the Office action was not received.

Petitioner states that a response to the Office action was filed on January 21, 2009. An Office date-stamped postcard whereby the USPTO acknowledged receiving the response on January 21, 2009, accompanied the petition. Based on the aforementioned, it appears that the application was improperly held abandoned as a response was received prior to expiration of the period for reply. The holding of abandonment is withdrawn, accordingly.

Further inquiries regarding this decision may be directed to the undersigned at (571) 272-3222.

The application file is being forwarded to Technology Center GAU 3637 for further processing including review of the election first filed January 21, 2009, a copy of which is filed with the instant petition.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions